



Senate

General Assembly

February Session, 2004

File No. 263

Senate Bill No. 388

Senate, March 25, 2004

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**AN ACT PROMOTING VOTING SYSTEM ACCURACY, INTEGRITY
AND SECURITY THROUGH VOTER-VERIFIED PERMANENT
RECORDS OR HARD COPIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-242 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) A voting machine approved by the Secretary of the State shall be
4 so constructed as to provide facilities for voting for the candidates of at
5 least nine different parties or organizations. It shall permit voting in
6 absolute secrecy. It shall be provided with a lock by means of which
7 any illegal movement of the voting or registering mechanism is
8 absolutely prevented. Such machine shall be so constructed that an
9 elector cannot vote for a candidate or on a proposition for whom or on
10 which he is not lawfully entitled to vote.

11 (b) It shall be so constructed as to prevent an elector from voting for

12 more than one person for the same office, except when he is lawfully
13 entitled to vote for more than one person for that office, and it shall
14 afford him an opportunity to vote for only as many persons for that
15 office as he is by law entitled to vote for, at the same time preventing
16 his voting for the same person twice. It shall be so constructed that all
17 votes cast will be registered or recorded by the machine.

18 (c) Notwithstanding the provisions of subsection (b) of this section,
19 the Secretary of the State may approve a voting machine which
20 requires the elector in the polls to place his ballot into the recording
21 device and which meets the voluntary performance and test standards
22 for voting systems adopted by the Federal Election Commission on
23 January 25, 1990, as amended from time to time, and regulations which
24 the Secretary of the State may adopt in accordance with the provisions
25 of chapter 54, provided the voting machine shall (1) warn the elector of
26 overvotes, (2) not record overvotes and (3) not record more than one
27 vote of an elector for the same person for an office.

28 (d) A voting machine approved by the Secretary of the State for an
29 election or primary held on or after January 1, 2006, shall also be so
30 constructed as to produce an individual, permanent, voter-verified
31 paper record for each elector casting a vote on the machine. Each such
32 record shall (1) be suitable for a manual audit and equivalent or
33 superior to a paper ballot for the purposes of any such manual audit,
34 (2) be made available for inspection and verification by the elector at
35 the time the elector casts his or her vote, (3) be preserved within the
36 polling place in the same manner in which paper ballots are required
37 under this title to be preserved for any manual audit, and (4) be
38 available as an official record and be the official record used for any
39 recanvass conducted under chapter 148 with respect to the election or
40 primary in which the machine is used. The voting machine shall also
41 be so constructed as to provide the elector with an opportunity to
42 correct any error made by the machine before the record is preserved
43 for use in any manual audit.

This act shall take effect as follows:

Section 1	<i>October 1, 2004</i>
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GAE *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 05 \$	FY 06 \$
All Municipalities	STATE MANDATE - Cost	Potential See Below	Potential See Below

Explanation

This bill adds to existing voting machine requirements by stipulating that voting machines the secretary of the state approves for an election held on or after January 1, 2006 be constructed so as to produce an individual, permanent, voter-verified paper record for each elector casting a vote on the machine.

The federal Help America Vote Act (HAVA) provided the state with a \$5 million first installment for the purchase of new voting systems. HAVA requires that the state purchase at least one voting machine that is able to accommodate disabled voters for use at every polling place by January 1, 2006. There are 783 polling places in the state (and approximately 3,300 lever voting machines). It is expected that the \$5 million in federal HAVA funding will cover the cost of these 783 voter machines. Under this bill, voter machines that can accommodate disabled voters would also be required to have a voter-verified paper record.

The state will be receiving a second installment of federal HAVA funding, however the amount of funding has yet to be determined. The cost to purchase a voting machine that can accommodate disabled voters and enables the elector to view an individual, permanent, voter-verified paper record is approximately \$3,500 - \$7,500. It is unknown at

this time if the second installment of HAVA funding will be sufficient to purchase the approximately 2,500 remaining lever voting machines in the state. If the federal HAVA funding is insufficient, municipalities will be responsible for the purchase of voter-verified paper record voting machines.

OLR Bill Analysis

SB 388

***AN ACT PROMOTING VOTING SYSTEM ACCURACY, INTEGRITY
AND SECURITY THROUGH VOTER-VERIFIED PERMANENT
RECORDS OR HARD COPIES*****SUMMARY:**

This bill adds to existing voting machine requirements by stipulating that voting machines the secretary of the state approves for an election or primary held on or after January 1, 2006 must be constructed so as to produce an individual, permanent, voter-verified paper record for each elector casting a vote on it. The record must be (1) suitable for a manual audit and equivalent or superior to a paper ballot for manual audit purposes, (2) made available for the elector's inspection and verification when he casts his vote, (3) preserved in the polling place in the same manner as the law prescribes for paper ballots preserved for manual audit, and (4) available as an official record and be the official record for any recount in an election or primary in which the machine is used. The bill also requires the voting machine to be constructed so as to provide the elector with an opportunity to correct any error the machine makes before the record is preserved for manual audit.

EFFECTIVE DATE: October 1, 2004

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Report

Yea 16 Nay 0